



State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

STATE EMPLOYEES ASSOCIATION OF
NEW HAMPSHIRE, LOCAL 1984

Complainant

v.

STATE OF NEW HAMPSHIRE, DEPARTMENT:
OF CORRECTIONS

Respondent

CASE NO. S-0376:2

DECISION NO. 95-04

ORDER DISMISSING MOTION TO COMPEL COMPLIANCE

The Board, meeting at its offices in Concord, New Hampshire, on January 20, 1995, took the following actions:

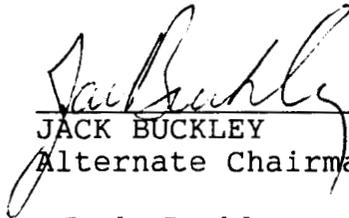
1. It reviewed its prior decision involving these parties on the issue of employer-ordered drug testing dated August 17, 1991 (Decision No. 91-54), the Association's Motion to Compel Compliance filed September 16, 1994, the State's answer filed September 28, 1994, and the Association's amendment to its Motion filed on October 28, 1994.
2. It noted its disposition of the Association's Motion to Compel Compliance, which directed a hearing on said motion (Decision No. 94-98 issued October 26, 1994).
3. It heard opening statements by representatives of the parties inclusive of a statement by the Association that the actions complained of with respect to individual complainant Pierre Planchet had been corrected, a stipulation by the parties that the actions complained of generally, as they might apply to employees other than Planchet, were no longer continuing, and a representation by counsel for the respondent that the practices and policies of the Department of Corrections would revert to the status quo, consistent with Decision No. 91-54, and remain unchanged unless modifications thereto were agreed to

through the collective bargaining process.

4. It accepted the Association's request to withdraw its Motion to Compel Compliance based on the foregoing, representations and thereby voted to dismiss said motion.

So ordered.

Signed this 19th day of January, 1995.



JACK BUCKLEY
Alternate Chairman

By unanimous vote. Chairman Jack Buckley presiding. Members Seymour Osman and E. Vincent Hall present and voting.